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Fight Breaks Out in Congress Over Climate Investigation

By RICHARD MONASTERSKY

An unusual investigation into the work of three climate scientists by a powerful congressman has drawn public rebukes from another prominent House Republican and from scientific associations in the United States and abroad.

Those critics characterize the investigation by Rep. Joe Barton, a Texas Republican, as a form of intimidation aimed at scientists whose work he disagrees with. The scientists have published studies suggesting that the earth is warmer now than at any time in the past 1,000 years.

Mr. Barton, chairman of the House Energy and Commerce committee, is a longstanding opponent of international efforts to curb emissions of greenhouse gases, the pollution that scientists say has likely caused much of the recent warming.

Late last week, Sherwood L. Boehlert, a New York Republican, sent a letter to Mr. Barton expressing "strenuous objections to what I see as the misguided and illegitimate investigation you have launched." The investigation, writes Mr. Boehlert, "breaks with precedent and raises the specter of politicians opening investigations against any scientist who reaches a conclusion that makes the political elite uncomfortable."

The investigation began on June 23, when Mr. Barton sent letters to Michael E. Mann, an assistant professor of environmental science at the University of Virginia; Raymond S. Bradley, a professor of geosciences at the University of Massachusetts at Amherst; and Malcolm K. Hughes, a professor in the University of Arizona's Laboratory of Tree-Ring Research. The letters demanded detailed data about all the studies on which the scientists were authors or co-authors and asked them to answer specific questions about their studies on temperature change over the past millennium.

It also demanded that the scientists turn over the computer programs they used in their analyses, in spite of statements by the National Science Foundation that such programs are the intellectual property of the investigators. The three scientists received support from the foundation for the climate studies at the focus of the investigation.

Mr. Barton singled out Mr. Mann and his two colleagues, he said, because questions about their work had been raised in *The Wall Street Journal* earlier this year. He also said

their work formed the basis for a key conclusion in a report from the Intergovernmental Panel on Climate Change, or IPCC, a group convened by the United Nations to assess scientific information on global warming.

Mr. Mann sent a response to Mr. Barton on Friday, saying that all of the data for their studies are on publicly available Web sites, as are descriptions of their methods. Although Mr. Mann reaffirmed his right to not release his computer program, he wrote that he has put the code on a public Web site.

In response to the criticism of his studies, Mr. Mann wrote that several other authors have used independent data and methods and reached similar conclusions: that the earth is warmer now than at any time in the past 1,000 years.

In Mr. Bradley's response to the investigation, he disputes the idea that the IPCC based the central conclusion of its 881-page report -- that humans have likely caused much of the recent warming -- primarily on the work he did with Mr. Mann and Mr. Hughes. "It would be absurd to think that the weight of its conclusions rests on any one figure or table."

Mr. Hughes made similar points in his letter to Mr. Barton. The Arizona professor charged that Mr. Barton was mistaken when he asserted that the three scientists had not made available enough information about their studies to permit other researchers to replicate the analyses.

None of the three researchers, however, responded to the detailed requests that Mr. Barton had made about the location and content of data files for all of their previous studies. Mr. Hughes noted that he had 120 published reports since 1965 and Mr. Bradley wrote that his publication list includes 140 papers and 11 books going back over 30 years.

For the moment, though, the debate over the scientific details of the three scientists' work has been overshadowed by questions about the merits of Mr. Barton's highly unusual investigation and the public fight between Mr. Barton and Mr. Boehlert.

"My primary concern about your investigation is that its purpose seems to be to intimidate scientists rather than to learn from them, and to substitute Congressional political review for scientific peer review," wrote Mr. Boehlert. "That would be pernicious."

He questioned the jurisdiction of Mr. Barton's committee, which has never held a hearing on global climate change during his tenure as chairman. "One has to conclude there is no legitimate reason for your investigation," writes Mr. Boehlert, who has advocated cutting emissions of greenhouse gases to combat global warming.

Larry Neal, spokesman for Mr. Barton's committee, responded to Mr. Boehlert's letter by saying "requests for information are a common exercise of the Energy and Commerce Committee's responsibility to gather knowledge on matters within its jurisdiction."

In his letter, Mr. Boehlert said that the appropriate way for Congress to try to understand scientific disputes would be to hold hearings and request a review from the National Academy of Sciences or other experts.

"The precedent your investigation sets is truly chilling," writes Mr. Boehlert. "Are scientists now supposed to look over their shoulders to determine if their conclusions might prompt a Congressional inquiry no matter how legitimate their work?"

It is rare for two key committee chairman from the same party to hold such a sharply worded debate in public.

In a telephone conference with reporters on Friday, David Goldston, chief of staff to the science committee, said, "It's unusual for a chairman to write this kind of a letter, but we feel the situation is unusual."

Even as such fireworks were bursting in the Congress, top scientists weighed into the debate by challenging Mr. Barton and his inquiry.

Ralph J. Cicerone, the newly appointed president of the National Academy of Sciences and an atmospheric scientist, wrote a letter to Mr. Barton on Friday. A copy of the letter obtained by *The Chronicle* stated, "A Congressional investigation, based on the authority of the House Commerce Committee, is probably not the best way to resolve a scientific issue, and a focus on individual scientists can be intimidating." He added that the National Academy would be willing to create an independent expert panel to answer the kind of questions raised by Mr. Barton. Mr. Cicerone, who had previously been chancellor of the University of California at Irvine, is expected to discuss the investigation further next week, when he testifies at two Senate hearings on the topic of climate change.

Also on Friday, a group of 20 eminent earth scientists wrote to Mr. Barton that they were "deeply concerned about your approach." A draft of the letter said that Mr. Barton's request for "all working materials related to hundreds of publications stretching back decades can be seen as intimidation -- intentional or not -- and thereby risks compromising the independence of scientific opinion that is vital to the preeminence of American science." The authors of the letter include Mario Molina, a professor of chemistry and biochemistry at the University of California in San Diego who won the Nobel Prize in 1995, and John P. Holdren, a professor of environmental policy at Harvard who is president-elect of the American Association for the Advancement of Science.

Alan I. Leshner, chief executive officer of that association, sent a separate letter to the Texas congressman last week expressing deep concern about the letters to the three scientists, which "give the impression of a search for some basis on which to discredit these particular scientist and findings, rather than a search for understanding."

Mr. Leshner's letter also states that "we are concerned that establishing a practice of aggressive Congressional inquiry into the complete professional histories of scientists

whose findings may bear on policy in ways that some find unpalatable could have a chilling effect on the willingness of scientists to conduct work on policy-relevant scientific questions."

The European Geosciences Union issued a position statement in early July, saying "We do not consider personal inquisition of individual scientists as an appropriate way of probing the validity of the general scientific statements in the IPCC" report from 2001.